

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

THE ESTATE OF RICHARD MYERS, )  
by and through its Personal Representative )  
Richard D. Myers, on behalf of the Estate; )  
and THE ESTATE OF GAIL MYERS, )  
by and through its Personal Representative )  
Richard D. Myers, on behalf of the Estate, )  
Plaintiffs, )

v. )

**JUDGMENT**

No. 5:09-CV-549-FL

WAL-MART STORES, INC.; WAL-MART )  
REALTY COMPANY; and WAL-MART )  
STORES EAST, L.P., )  
Defendants. )

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of Defendants’ Motion to Exclude Testimony of Plaintiffs’ Expert, Kenneth Britz and Defendants’ Motion for Summary Judgment.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court’s order entered on April 11, 2011, that Defendants’ Motion to Exclude Expert Testimony and for Summary Judgment are granted. The Plaintiff shall have and recover nothing from this action.

**This Judgment Filed and Entered on April 11, 2011, and Copies To:**

- Clay Allen Collier (via CM/ECF Notice of Electronic Filing)
- Tracy P. Hunt (via CM/ECF Notice of Electronic Filing)
- Christopher J. Blake (via CM/ECF Notice of Electronic Filing)
- Leslie Lane Mize (via CM/ECF Notice of Electronic Filing)

April 11, 2011

DENNIS P. IAVARONE, CLERK

/s/ Susan W. Tripp  
(By) Susan W. Tripp, Deputy Clerk